

SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
STANDARDS OF PERFORMANCE
NSPS SUBPART E FOR INCINERATORS

1. Identification of the Information Collection

1(a) Title and Number of the Information Collection ICR for New Source Performance Standard (NSPS) for Incinerators. Environmental Protection Agency (EPA) tracking number 1058.7. Office of Management and Budget (OMB) Control number 2060-0040.

1(b) Short Characterization

The New Source Performance Standards (NSPS) for Incinerators were promulgated on December 23, 1971. These standards apply to incinerators that charge more than 45 megagrams per day (50 tons per day) of solid waste for the purpose of reducing the volume of the waste after promulgation of NSPS Subpart E in 1971. Solid waste is defined as refuse that is more than 50 percent municipal type waste. This information is being collected to assure compliance with 40 CFR Part 60 Subpart E.

Owners or operators of the affected facilities described must make one-time-only notifications including: (1) notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate; (2) notification of the initial performance test, including information necessary to determine the conditions of the performance test; and (3) performance test measurements and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Monitoring requirements specific to NSPS Subpart E provide information on daily charging rates and hours of operation. Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records.

Approximately 96 sources are currently subject to the standard. Of that, it is estimated that no new sources will become subject to NSPS Subpart E in the next three years, as new sources will be

subject to Part 60 NSPS Subpart Eb or Part 60 NSPS Subpart AAAA. Large Municipal Waste Combustors (MWC) with a capacity greater than 225 megagrams per day that are constructed, modified, or reconstructed after September 20, 1994 are subject to NSPS Subpart Eb. Small MWCs with capacities of 35 to 250 tons per day of municipal solid waste that commenced construction after August 30, 1999, or commenced reconstruction or modification after June 6, 2001 are subject to NSPS Part 60 Subpart AAAA. It is not anticipated that any small MWC will commence reconstruction or modification between now and June 6, 2001. While it is not anticipated that new sources will be subject to reporting requirements, existing sources will still need to comply with the record-keeping requirements of the regulations.

The cost of this ICR will be \$301,644.16 (labor costs) and \$240,000 (operating and maintenance costs) dollars. The Agency determined the number of affected sources by reviewing and analyzing information contained in EPA's Air Docket -- Municipal Waste Combustion/Federal Plan for Large Units (A97-45).

2. Need for Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act, as amended, to establish standards of performance for new stationary sources that reflect:

... application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any nonair quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.

The Agency refers to this charge as selecting the best demonstrated technology. Section 111 of the Clean Air Act also requires that the Administrator review and, if appropriate, revise such standards every four years. In addition, Section 114(a) states that:

... the Administrator may require any owner or operator subject to any requirement of this Act to (A) establish and maintain such records, (B) make such reports, (C) install, use, and maintain such monitoring equipment or methods (in accordance with such methods at such locations, at

such intervals, and in such manner as the Administrator shall prescribe), and (D) sample such emissions, (E) Keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical, (F) submit compliance certifications, and (G) provide such other information as he may reasonably require.

In the Administrator's judgement, particulate matter emissions from municipal incinerators causes or contributes to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS for municipal incinerators were promulgated for this source category at 40 CFR Part 60, Subpart E.

2(b) Practical Utility/Users of the Data

The required notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the standard is being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard. The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to achieve compliance with the NSPS. Adequate monitoring, recordkeeping, and reporting is necessary to ensure compliance with these standards, as required by the Clean Air Act.

The information collected from the recordkeeping and reporting requirements is also used for targeting inspections and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultation, and Other Collection Criteria

3(a) Nonduplication

The recordkeeping and reporting requested is required under 40 CFR Part 60 Subpart E. If the standard has not been delegated the information is sent to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or local agency. If a State or local agency has adopted their own similar regulation to implement NSPS Subpart E, a copy of the report submitted to the State or local agency can be sent to the EPA Administrator in lieu of the report required by the Federal standard. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on August 17, 2000 (65 FR 50196).

3(c) Consultation

No comments were received in response to the burden published in the Federal Register on August 17, 2000.

3(d) Effects of Less Frequent Collection

If the information required by these standards was collected less frequently, the main consequence would be that the chances of detecting poor operation and maintenance of control equipment would decrease. Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met.

3(e) General Guidelines

None of the reporting or recordkeeping requirements contained in 40 CFR Part 60 or otherwise pertinent to this request violate any of the regulations established by OMB in 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contained in 40 CFR Part 60 or otherwise pertinent to this request contain sensitive questions.

4. Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are municipal waste combustors (SIC Code 4953 Refuse Systems and SIC Code 9511 Air & Water Resource & Solid Waste Management) that charge more than 45 megagrams per day (50 tons per day) after promulgation of NSPS Subpart E in 1971.

b. Information Requested

(I) Data Items

All data in this ICR that is recorded and reported is required by 40 CFR Part 60 Subpart E or the General Provisions of 40 CFR Part 60. Owners or operators of affected facilities must provide notification of: (1) the date of construction or reconstruction (40 CFR §60.7(a)(1)); (2) the anticipated date of startup (40 CFR §60.7(a)(2)); (3) the actual date of startup (40 CFR §60.7(a)(3)); (3) any physical or operational change to an existing facility which may increase the regulated pollutant emission rate (40 CFR §60.7(a)(4)); (4) the date of the initial performance test (40 CFR §§60.8(d), 60.52(a), and 60.54(a)); and (5) results of the initial performance test, including information necessary to determine the conditions of the performance test, and performance test measurements and results (40 CFR §§60.8(d), 60.52(a), 60.54(a)). Owners or operators of affected facilities must also report on the results of the initial performance test. (40 CFR §§60.8(d), 60.52(a), 60.54(a)). Owners or operators of affected facilities must record: (1) information necessary to determine the conditions of the initial performance test and performance test measurements and results, including conversion factors and measurements of emissions (40 CFR §§60.52(a), 54(a)); (2) the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative (40 CFR §60.7(b)); (3) the daily charging rates and hours of operation (40 CFR §60.53(a)); (4) periods when the monitoring system is inoperative (40 CFR §60.7(b)); and (5) malfunctions of the air pollution control equipment. (40 CFR §60.7(b)). Any owner or operator subject to the provisions of this part shall maintain a file of these measurements and shall retain the file for at least two years following the date of such measurements, maintenance reports, and records.

(II) Respondent activities

To comply with the notification, recordkeeping, and reporting requirement of NSPS Subpart E, the respondent is required: (1) to read instructions; (2) perform the initial performance test; (3) write the notifications and reports listed above; (4) enter the information required to be recorded above; (5) submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information; (6) develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information; (7) develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information; (8) adjust the existing ways to comply with any previously applicable instructions and requirements; and (9) train personnel to be able to respond to a collection of information transmitting, or otherwise disclosing the information. The respondent may also be required to repeat the initial performance test.

5. The Information Collected -- Agency Activities, Collection Methodology, and Information Management.

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the information required under 40 CFR Subpart E: (1) observes initial and repeat performance tests; (2) reviews notifications and reports, including excess emissions reports, required to be submitted by respondents; (3) audits facility records; and (4) compiles data in the Aerometric Information Retrieval System (AIRS) database.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect a source to check if the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data obtained during periodic visits by Agency personnel from records maintained by the respondents are tabulated and published for internal Agency use in compliance and enforcement programs.

Information contained in the reports is entered into the AIRS Facility Subsystem (AFS) which is operated and maintained by EPA's Office of Air Quality Planning and Standards. The AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by State and local regulatory agencies, EPA Regional Offices and EPA Headquarters. EPA can edit, store, retrieve and analyze the data via personal computer terminals.

The records required by this NSPS must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

The Agency does not expect that any municipal incinerators, including small businesses, subject to the standards would experience adverse impacts related to the cost of the required recordkeeping and reporting. The information collection requirements are the minimum necessary to demonstrate compliance.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown on Table 2A

6. Estimating the Burden and Cost of the Collection

Table 2A documents the computation of individual burdens for each of the recordkeeping and reporting requirements applicable to the industry. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions are identified. Responses to this information collection are mandatory under Section 111 of the Clean Air Act and NSPS Subpart E. The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated at 8544 person-hours. These hours are based on Agency studies

and background documents from the development of the standards or test methods, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received about the time necessary to prepare reports.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses labor rates of \$17.09/hour plus 110% overhead cost, which equals \$35.89 from the United States Department of Commerce Bureau of Labor Statistics, March 1998, Table 2: Employment Costs for Civilian Workers by Occupational and Industry Group.

(ii) Estimating Capital and Operations and Maintenance Costs

The type of industry costs associated with the information collection activity in the standards are labor. The respondent costs have been calculated on the basis of discussions with owners and operators of affected facilities. The average annual cost to industry over the next three years of the ICR is estimated to be \$240,000 (operating and maintenance costs of \$2500 per year multiplied by the ninety-six existing facilities).

(iii) Capital/Start-up vs. Operating and Maintenance Costs

Costs are not applicable because there is no continuous monitoring for affected facilities under Subpart E.

6(c) Estimating Agency Burden and Cost

The only Federal costs are user costs associated with analysis of the reported information. Publication and distribution of the information are part of AFS which is operated and maintained by the Agency's Office of Air Quality Planning and Standards. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of the Agency's overall compliance and enforcement program.

The average annual Federal Government cost during the three years of the ICR is estimated to be \$0. This cost is based on an average wage of a GS 10 step 1 employee rate and travel associated with compliance activities. Details upon which this estimate is based appear in Table 1: Agency Burden.

6(d) Estimating the Respondent Universe and Total Burden and Costs

The number of existing sources subject to the New Source Performance Standards for Municipal Incinerators, 40 CFR Subpart E is approximately 96. The number of new sources subject to New Source Performance Standards for Municipal Incinerators, 40 CFR Subpart E is expected to be zero during the period covered by this ICR. The total annual labor costs are \$301,644.16 and operating and maintenance costs to the regulated entity are \$240,000. Details upon which this estimate is based appear in Table 2A and Table 2B: Industry Burden.

6(e) Bottom Line Burden Hours And Cost Tables

See attached Table 2A & 2B.

6(f) Reasons for Change in Burden

There was no change in the burden from the most recently approved ICR. No new sources are anticipated in the next three years.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M St., S.W., Washington, D.C. 20460; and to the

Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.

Source Data and Information Requirements -- 40 CFR Part 60, Subpart E

<i>Requirement</i>	<i>Regulation Reference</i>	<i>General Provision Reference</i>
Recordkeeping		
Records of the occurrence and duration of any startup, shutdown, or malfunction in operation		40 C.F.R. §60.7(b)
Records of malfunctions of the air pollution control equipment		40 C.F.R. §60.7(b)
Records of periods when the monitoring system is inoperative		40 C.F.R. §60.7(b)
Records of daily charging rates and hours of operation	40 C.F.R. §60.53(a)	
Records of the initial performance test results	40 C.F.R. §§60.52(a), 60.54(a) 1 Time Only	40 C.F.R. §60.8(c)
Reports		
Notification of the date of construction or reconstruction	1 Time Only	40 C.F.R. §60.7(a)(1)
Notification anticipated date of initial startup	1 Time Only	40 C.F.R. §60.7(a)(2)
Notification of actual startup date	1 Time Only	40 C.F.R. §60.7(a)(3)
Notification of any physical or operational change to an existing facility which may increase the emission rate of any regulated pollutant		40 C.F.R. §60.7(a)(4)
Notification of the initial performance test date	40 C.F.R. §§60.52(a), 60.54(a) 1 Time Only	40 C.F.R. §60.8(d)
Notification of the results of the initial performance test	40 C.F.R. §§60.52(a), 60.54(a) 1 Time Only	40 C.F.R. §60.8(a)

**Table 2B: Annual Burden of Reporting and Recordkeeping Requirements under NSPS
for Municipal Waste Incinerators - Subpart E
Capital/Start-up and Operating and Maintenance Costs**

Activity	(A) Respondents Cost	(B) Number of Facilities	(C) Total Cost Per year
1. Capital/Start-up Cost¹	5000	0²	0
2. Operating & Maintenance³	2500	96⁴	240000
TOTAL COSTS			240000

1. Capital/Startup costs are annualized over three years.
2. It is anticipated that no new, modified, or reconstructed facility will be constructed during the period covered by the Information Collection Request.
3. Annual Operation & Maintenance costs including photocopying and postage.
4. Approximately 96 plants operating 232 units are currently subject to the requirements.

**Table 1: Annual Burden and Cost to the Federal Government NSPS
for Municipal Waste Incinerators - Subpart E**

Activity		(A) EPA hr./ Occurrence	(B) Occurrences per year	(C) Plants per year ^a	(D) Technical Person-hours Per Year (D= AxBxC)	(E) Management Person-hours Per Year (E= Dx 0.05)	(E) Clerical Person-hours Per Year (F= Dx0.1)	(G) Total Cost Per year ^b
Initial Performance Test (Observe Monitoring)		40	0.2 ^c	0	0	0	0	0
Repeat Performance Test	Retesting prep.	16	0.4 ^d	0	0	0	0	0
	Retesting	120	0.2 ^e	0	0	0	0	0
Report Review Notification of Construction/Reconstruction		2	2	0	0	0	0	0
Notification of Anticipated Date of Initial Startup		2	0.2 ^f	0	0	0	0	0
Notification of Actual Startup		2	2	0	0	0	0	0
Notification of Any Physical or Operational Change Which May Increase Emission Rates of Any Regulated Pollutant		2	2	0	0	0	0	0
Test Results		8	1.2	0	0	0	0	0
Audit and Review Facility Records		6	10 ^g	1				
Use of the Aerometric Information Retrieval System		2	10 ^h					
TOTAL ANNUAL HOURS/DIRECT PERSONNEL COST					0	0	0	0
TRAVEL EXPENSES		(2 person x 0 sources/yr x 2 days/source x \$50 per diem)+ (\$500 RT/source x 0 sources/yr) =					0	

^a It is anticipated that 0 new, modified, or reconstructed facility will be constructed during the period covered by the Information Collection Request.

^b Costs are based on the following hourly rates: technical at \$36.5, management at \$53.9, and clerical at \$16.5.

^c Assumes 10 percent of the facilities performance tests are attended by EPA personnel (1 per year x 10 percent).

^d Assumes 20 percent of initial performance tests must be repeated due to failure (1 per year x 20 percent).

^e Assumes 10 percent of retests are attended by EPA personnel (1 per year x 10 percent).

^f Assumes 10 percent of facilities would undergo physical or operational changes (1 per year x 10 percent).

^g Assumes 10 percent of facilities would undergo audits and record reviews (96 per year x 10 percent).

^h Assumes 10 percent of facilities would undergo audits and record reviews (96 per year x 10 percent).

TOTAL ANNUAL COST						0	0
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**Table 2A: Annual Burden of Reporting and Recordkeeping Requirements under NSPS
for Municipal Waste Incinerators - Subpart E**

Activity	(A) Person hours per Occurrence	(B) Number of Occurrences per respondent per year	(C) Person hours per respondent per year	(D) Respondents per year ¹	(E) Technical Person-hours Per Year (E = CxD)	(F) Total Cost Per year ²
1. Applications 2. Surveys and Studies	Not Applicable Not Applicable					
3. Reporting Requirements A. <u>Read Instructions</u>	1	1	1	0	0	0
B. <u>Required Activities</u> ³ Initial Performance Test	200	1	200	0	0	0
C. Create Information on Performance Test D. Gather Existing Information	Included in 3B Not Applicable					
E. <u>Write Report</u> Notification of Construction/Reconstruction	2	1	2	0	0	0
Notification of Anticipated Date of Initial Startup	2	1	2	0	0	0
Notification of Actual Startup	2	1	2	0	0	0
Notification of Any Physical or Operation Changes Which May Increase Emission Rates of Any Pollutants Regulated	2	1	2	0	0	0
Notification of Initial Performance Test	2	1	2	0	0	0
Report of Initial Performance Test	Included in 3B					
4. Recordkeeping Requirements A. Read Instructions B. Plan Activities C. Implement Activities D. Develop record systems	Included in 4E Included in 4E Included in 4E Not Applicable					
E. Time to enter information Record of Occurrence and Duration of Startup, Shutdown, or Malfunction, Emissions, Monitoring Nonoperations, and Initial Performance Test System Results	1.5	1	1.5	96 ⁴	144	5168.16
Records of Daily Charging Rates and Hours of Operation	.25	350	87.5	96 ⁵	8400	301476
F. Time to Train Personnel	Not Applicable					
G. Time for Audits	Not Applicable					
TOTAL (Labor Cost Only)					8544	306644.16

1. It is anticipated that no new, modified, or reconstructed facility will be constructed during the period covered by the Information Collection Request.

2. Costs are based on the following hourly rate: technical employee at \$35.89.

3. Assumes 60 person-hours pretests/test preparation, 60 hours test, and 80 hours analysis and report preparation.

4. Approximately 96 plants operating 232 units are currently subject to the requirements.

5. Approximately 96 plants operating 232 units are currently subject to the requirements.